

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

IN RE:)	
)	
GYRO-TRAC (USA), INC.,)	Case No. 10-01908-dd
)	Chapter 11
Debtor.)	
)	

**LIMITED OBJECTION OF GE COMMERCIAL DISTRIBUTION FINANCE
CORPORATION TO DEBTOR'S THIRD AMENDED DISCLOSURE STATEMENT**

GE Commercial Distribution Finance Corporation ("CDF"), a party in interest, by and through counsel, for its Limited Objection to Debtor's Third Amended Disclosure Statement (Docket #185) states as follows:

1. The Debtor filed its voluntary petition with this Court on March 17, 2010.
2. The Debtor filed its Second Amended Disclosure Statement with this Court on June 4, 2010.
3. The Debtor filed its Third Amended Disclosure Statement (the "Disclosure Statement") with this Court on June 9, 2010.
4. The Disclosure Statement is in part based on the false premise that the Debtor is the owner of a certain piece of equipment, more particularly described as a GT-25 Brushcutter, Serial Number BCT25061106C (the "GT-25").¹ The GT-25 is listed as item number 19 on the Inventory List attached to the Second Amended Disclosure Statement.
5. As set forth in CDF's Motion for Relief from the Automatic Stay (the "Motion"; Docket # 110) filed in this case, the GT-25 is actually the property of Vermeer of Tennessee, Inc. ("Vermeer") and is fully encumbered by a lien of CDF.

¹ The Disclosure Statement references an Exhibit B containing a list of the Debtor's equipment. However, no Exhibit B is attached to the Disclosure Statement. As such, CDF assumes that the Disclosure Statement references the Exhibit B attached to the Debtors' previously-filed Second Amended Disclosure Statement.

6. Vermeer filed for bankruptcy in the United States Bankruptcy Court for the Middle District of Tennessee, Case No. 09-05106. CDF has obtained relief from the automatic stay in Vermeer's bankruptcy case to allow it to recover the GT-25.

7. Further, as mentioned above, CDF has sought relief from the automatic stay in the Debtor's case as to the GT-25.

8. The Debtor originally objected to CDF's Motion (Docket #143), but has now withdrawn its objection (Docket # 168).

9. No other party filed an objection to the Motion. (*See* Docket # 174.)

10. This Court has entered an order granting CDF's Motion, entitling CDF to recover the GT-25 and exercise any and all of its state law and contractual rights and remedies with respect to the GT-25 (Docket # 181).

WHEREFORE, CDF objects to Debtor's Disclosure Statement to the extent it relies upon the Debtor's ownership of the GT-25 and requests that the Disclosure Statement be revised to reflect the fact that the GT-25 is not property of the Debtor's bankruptcy estate.

Respectfully submitted,

/s/ Cynthia Jordan Lowery
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Charleston, South Carolina
June 10, 2010

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CERTIFICATE OF SERVICE

The undersigned, Paralegal to Attorney Cynthia Jordan Lowery of Moore & Van Allen, PLLC, attorneys for GE Commercial Distribution Finance Corporation, certifies that on this 10th day of June, 2010 a true and exact copy of the foregoing Motion for Relief from the Automatic Stay has been served by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and upon the following by U.S. mail, postage pre-paid:

Gyro-Trac (USA), Inc.
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Debtor

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U.S. Trustee

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Attorney of Record:
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